

ACT 65

S. B. NO. 1382

A Bill for an Act Relating to the Security Guards of the State of Hawaii.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 121-9, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 121-9 Adjutant general; duties. The adjutant general shall perform such duties as are prescribed by law and such other military duties consistent with the regulations and customs of the armed forces of the United States as required by the governor.

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He shall supervise all of the forces comprising the military components of the department of defense of the State. The supervisory power shall include the command, discipline, training, and recruiting of the armed forces of the State, military operations, distribution of troops, inspections, armament, military education and instruction, fiscal operations, administration, and supply.

The adjutant general is authorized to confer the powers of police officers, including the power to arrest, to employees of the department who are engaged as security guards for national guard and civil defense facilities; provided, that such powers shall remain in force and effect only while the security guards are in the actual performance of their duties as security guards."

SECTION 2. Chapter 28, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"Sec. 28- Security guards; appointment and powers. Employees of the department of the attorney general engaged as security guards, upon specific authorization and direction of the attorney general, shall have all of the powers of police officers, including the power of arrest; provided that such powers shall remain in force and effect only while the security guards are in actual performance of their duties as security guards which duties shall include off-duty employment when such employment is for other state departments or agencies."

SECTION 3. All employees of the department of defense who are engaged as security guards assigned to the Capitol Security Complex shall be transferred to the department of the attorney general without change in civil service status, reduction in salary range, loss of vacation or sick leave allowances, seniority, prior service credits, or other employee benefits or privileges, and without the necessity of examination; provided that subsequent changes in status may be made pursuant to applicable personnel laws.

SECTION 4. All records, equipment, files, supplies, books, papers, documents, maps, and other property, pertaining to or used by the security guards transferred by section 3, shall be transferred to the department of the attorney general without cost to the department of the attorney general.

SECTION 5. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 6. This Act shall take effect on July 1, 1973.

(Approved May 8, 1973.)

*Edited accordingly.